

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/720,778	JOHNSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John P. Fitzgerald	2856	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 27 December 2004.
2. ☒ The allowed claim(s) is/are 35-85.
3. ☒ The drawings filed on 27 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Drawings*

1. The drawings were received on 27 December 2004. These drawings are accepted.

### *Allowable Subject Matter*

2. Claims 35-85 are allowed over the Prior Art of record.
3. The following is an examiner's statement of reasons for allowance: The primary reasons for allowance of the independent claims 35, 56, 57 is the inclusion of the limitation of a device and/or method for collecting data from small-arms (i.e. pistols, rifles, etc) including a single accelerometer coupled to a processor having an a ***threshold level*** (emphasis added), above which a shot is sensed, the processor further having a ***hold-off delay*** (emphasis added) (i.e. period delay, time delay) after a shot is sensed such that additional signals sensed by the accelerometer are not sensed as shots until after the hold-off delay is over, the hold-off delay being chosen such that all subsequent impulses produced during the firing a shot fall within the hold-off delay. As to claim 65, the primary reasons for allowance is the inclusion of the limitations of a device for collecting data on usage of a firearm having a barrel, having an RF (i.e. radio-frequency) detector mounted to the firearm producing a signal on a signal output in response to sensing a radio-frequency impulse; a processor having an input coupled to the signal output, such that a signal on the output of the RF detector which exceeds a ***threshold level*** (emphasis added) is a sensed shot, a memory coupled to the processor for storing information related to shots sensed by the processor. None of the Prior Art teach the employment of a "hold-off delay" or a "threshold

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level” which is to be exceeded in measuring/detecting the firing of a shot from a small arm, weapon, gun, firearm, etc.’

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Glock teaches a piezoelectric device assembled from a piezofilm sensor enclosed between two layers of a multilayer board with a printed circuit which is capable of detecting movements, hits or other disturbances, typically employed in conjunction with a pistol (see Fig. 2), Cain teaches the employment of an RF tag for gun identification and use and Delgado teaches an emitter that detects when shells are ejected from a breech of a firearm.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Fitzgerald whose telephone number is (571) 272-2843. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams, can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR

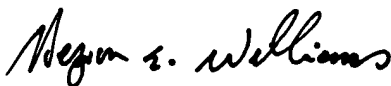
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only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JF

03/07/2005



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